vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1351 OF 2005

Urvashi Jayant Gathani ... Plaintiff

V/s.

M/s.G.A.B. Chemicals ... Defendant

Mrs.S.M. Dave for Plaintiff
None for Defendant

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **APRIL 17, 2006**

P.C.:

. The Suit has been filed to recover an amount of Rs.78,900/- together with interest @ 1.7% per month till realisation.

2. The Plaintiff had paid the defendants a sum of Rs.50,000/- by way of a business loan. The defendant had issued a bill of exchange dated 5.7.2000. Defendant No.2 had accepted the same. Interest was paid upto 18.4.2002. However, thereafter, the defendant failed to repay the loan amount of Rs.50,000/- and the interest thereon. There is no response from the Defendant to the demand made by the plaintiff. Hence, the present suit.

3. Nobody appears for the defendant, though served. An affidavit of service is filed on record indicating that the defendant had been served.

4. The original bill of exchange and the demand notice are produced on record indicating that the bill of exchange has been drawn by the proprietor of the Defendant and accepted. In my view, the plaintiff has made out and supported her case by the documents filed on record. Hence, decree as prayed for. However, interest is reduced to 6% per annum from the date of filing the suit.

5. Certified copy expedited